

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 4, 2004

9:00 A.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: All Present

SALUTE TO FLAG - Led by Supervisor Maben

NOTE: The vote is displayed in bold below each item. For example, Patrick-Parra denotes Supervisor Patrick made the motion and Supervisor Parra seconded the motion.

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

NOTE: SUPERVISOR PARRA RECOGNIZED ALEX CARRASSI AS A NEW MEMBER OF THE CITIZEN'S ADVISORY COMMITTEE ON ANNEXATIONS

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1) Proclamation proclaiming May 2004 as Hepatitis Awareness Month in Kern County - PROCLAIMED; MADE PRESENTATION TO KENDREA LEROY; KENDREA LEROY HEARD AND KELLI KING INTRODUCED

Parra-Watson: All Ayes

- 2) Proclamation proclaiming May 2004 as National Community Action Month in Kern County - PROCLAIMED; MADE PRESENTATION TO FRED DREW; FRED DREW HEARD AND RECOGNIZED STAFF FROM THE COMMUNITY ACTION PARTNERSHIP OF KERN

Watson-Maben: All Ayes

- 3) Proclamation proclaiming May 2 - 8, 2004 as Public Service Recognition Week in Kern County - PROCLAIMED

Parra-Patrick: All Ayes

MOTION TO RECONSIDER ITEM NO. 3 WAS APPROVED

Parra-Maben: All Ayes

CONTINUED TO TUESDAY, MAY 4, 2004 AT 2:00 P.M., ITEM NO. 1A

Patrick-Watson: All Ayes

- 4) Proclamation proclaiming May 6 - 12, 2004 as Nurses Week in Kern County, in conjunction with National Nurses Week - PROCLAIMED; MADE PRESENTATION TO TONI SMITH, DIRECTOR OF PATIENT CARE SERVICES, KERN MEDICAL CENTER, AND LINDA WILLIAMS, ASSISTANT DIRECTOR OF NURSES, PUBLIC HEALTH DEPARTMENT; KMC NURSES INTRODUCED; TONI SMITH, LINDA WILLIAMS, AND PETER BRYAN HEARD

Patrick-Maben: All Ayes

- 5) Proclamation proclaiming May 2004 as Mental Health Month in Kern County and presentation of Certificates of Recognition to Darlene Prettyman and Judy Kukuza - PROCLAIMED; MADE PRESENTATIONS TO DR. DONALD TERLESKI, JUDY KUKURUZA AND DARLENE PRETTYMAN; DR. TERLESKI, JUDY KUKURUZA, AND DARLENE PRETTYMAN HEARD; VIKKI DEL PELLEGRINO, CHAIR, BEHAVIORAL HEALTH BOARD, INTRODUCED

Maben-Watson: All Ayes

APPOINTMENTS

- *6) Appointment of Alex Carrassi as Fifth District Member to the Citizens Advisory Committee on Annexations, term to expire at the pleasure of the Board - MADE APPOINTMENT

Patrick-Watson: All Ayes

- *7) Appointment of Edward J. Herrera as Fifth District Member to the Human Relations Commission, term to expire January 8, 2006 - MADE APPOINTMENT

Patrick-Watson: All Ayes

- *8) Appointment of Valerie S. McLaughlin (replacing Annette Gail Brown) as Consumer, First District Member to the Kern County Local Child Care and Development Planning Council, term to expire June 30, 2005 - MADE APPOINTMENT

Patrick-Watson: All Ayes

PUBLIC PRESENTATIONS

- 9) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU!
- FIRE CHIEF DENNIS THOMPSON ANNOUNCED THAT FIRE SEASON HAS BEEN DECLARED

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 10) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - SUPERVISOR MCQUISTON ANNOUNCED THAT HE WILL BE ABSENT FROM THE AFTERNOON SESSION

DEPARTMENTAL REQUESTS

AGRICULTURE AND MEASUREMENT STANDARDS

- *11) Notice of 2003 Kern County Agricultural Crop Report online at the Department of Agriculture and Measurement Standards web site: www.co.kern.ca.us/kernag/crp-idx.html - RECEIVED AND FILED

Patrick-Watson: All Ayes

COUNTY COUNSEL

- *12) Proposed Resolution authorizing the issuance and sale of Arvin Union School District General Obligation Bonds, Election of 2004, Series 2004A in the aggregate principal amount of not to exceed \$5,100,000 - APPROVED; ADOPTED RESOLUTION 2004-133

Patrick-Watson: All Ayes

- *13) Request from West Kern Community College District and Kern Community College District regarding participation in 2004 tax and revenue anticipation bonds - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2004 TAX AND REVENUE ANTICIPATION BONDS

Patrick-Watson: All Ayes

- *14) Request to authorize Clerk of the Board of Supervisors to execute memorandum to Arvin Union Elementary School District, Bakersfield City Elementary School District, Buttonwillow Union Elementary School District, Caliente Union Elementary School District, Delano Union Elementary School District, Elk Hills Elementary School District, Fairfax Elementary School District, General Shafter Elementary School District, Kernville Union Elementary School District, Lamont School District, Mojave Unified School District, Muroc Joint Unified School District, Southern Kern Unified School District, South Fork Union Elementary School District, Standard School District, Tehachapi Unified School District, Vineland Elementary School District, Rio Bravo-Greeley Union Elementary School District, and El Tejon Unified School District declining participation in 2004 pooled tax and revenue anticipation notes - AUTHORIZED CLERK OF THE BOARD OF SUPERVISORS TO EXECUTE MEMORANDUM DECLINING PARTICIPATION IN 2004 TAX AND REVENUE ANTICIPATION NOTES

Patrick-Watson: All Ayes

- *15) Request of the Waste Management Department for authorization to destroy records no longer necessary or required for County purposes - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- *16) Request of the Clerk of the Board for authorization to destroy records no longer necessary or required for County purposes - APPROVED; AUTHORIZED CHAIRMAN TO SIGN

Patrick-Watson: All Ayes

- 17) Report regarding referral to review potential designation of additional locations for the surrender of newborn children - BARBARA EDSALL, VOLUNTEER WITH VINE PREGNANCY CENTER, HEARD; APPROVED THE DESIGNATION OF KERN COUNTY FIRE STATIONS AS ADDITIONAL LOCATIONS FOR THE SURRENDER OF NEWBORN CHILDREN; REFERRED TO FIRE DEPARTMENT THE PREPARATION OF IMPLEMENTING PROCEDURES AND FOR COORDINATION WITH DEPARTMENT OF HUMAN SERVICES, DEPARTMENT OF PUBLIC HEALTH SERVICES, KERN MEDICAL CENTER, AND FIRST 5 KERN TO PUBLICIZE THE ADDITIONAL DESIGNATIONS FOR SUBSEQUENT BOARD APPROVAL

Patrick-Watson: All Ayes

EMERGENCY MEDICAL SERVICES

- *18) Appropriation of unanticipated revenue in the amount of \$11,000 from EMS Week Donation Trust Fund to support EMS Week activities - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$11,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$11,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4200

Patrick-Watson: All Ayes

- *19) Appropriation of unanticipated revenue in the amount of \$25,586 from Federal Grant Funds to support preparedness activities for mass casualty events - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$25,586 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$25,586 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 4200

Patrick-Watson: All Ayes

FIRE DEPARTMENT

- *20) Quarterly report of overtime expenditures - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *21) Request to appropriate unanticipated revenue in the amount of \$4,844,900 from Fire Cost Reimbursements - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$4,844,900 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$4,844,900 FROM APPROPRIATIONS FOR CONTINGENCIES TO BUDGET UNIT 2415

Patrick-Watson: All Ayes

- *22) Request to appropriate unanticipated revenue from Fire Cost reimbursements for contribution to Indian Wells Valley Airport to meet local ten percent (10%) match for purchase of an Aircraft Rescue Firefighting Vehicle, in an amount not to exceed \$61,000 - APPROVED APPROPRIATION OF UNANTICIPATED REVENUE IN THE AMOUNT OF \$61,000 TO APPROPRIATIONS FOR CONTINGENCIES; APPROVED BUDGET TRANSFER IN THE AMOUNT OF \$61,000 FROM APPROPRIATIONS FOR CONTINGENCIES TO FIRE DEPARTMENT BUDGET UNIT 2415

Patrick-Watson: All Ayes

- *23) Request to hire retired Battalion Chief, Richard Olson, Range 65.4, Step E, for a period not to exceed 120 working days or 960 hours, whichever is greater, in the 12-month period following the date of employment - APPROVED

Patrick-Watson: All Ayes

KERN MEDICAL CENTER

- 24) Request for sole source purchase of Entrak Plus System for Image Guided Sinus Surgery - APPROVED; AUTHORIZED PURCHASING AGENT TO ISSUE SOLE SOURCE PURCHASE ORDER IN AMOUNT NOT TO EXCEED \$150,000

Watson-Parra: All Ayes

- *25) Proposed Amendment No. 6 to Agreement 350-2001 with Staff Care, Inc., for temporary physician staffing, extending the term one year through May 7, 2005, reflecting new rate schedules for orthopedic surgery and psychiatry, and increasing the not to exceed amount to \$1,200,000 (an increase of \$400,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 286-2004

Patrick-Watson: All Ayes

- *26) Proposed Agreement with Graham Vintage Care, Inc., for occupational therapy and speech pathology services to ElderLife participants, from May 4, 2004 through May 3, 2006, in an amount not to exceed \$102,000 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 287-2004

Patrick-Watson: All Ayes

- *27) Proposed Agreement with Gary L. Zohman, M.D., for orthopedic surgery services, from June 26, 2004 through June 25, 2009, in an amount not to exceed \$500,000 during the initial 12-month term of the agreement - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 288-2004

Patrick-Watson: All Ayes

MENTAL HEALTH SERVICES

- 28) Presentation of Behavioral Health Board Annual 2003 Report - DR. DONALD TERLESKI, VIKKI DEL PELLEGRINO, CHAIR, BEHAVIORAL HEALTH BOARD, AND JUDY NEWMAN, MANAGED CARE ADMINISTRATOR FOR MENTAL HEALTH SERVICES, HEARD; RECEIVED AND FILED

Patrick-Watson: All Ayes

- *29) Proposed Amendment No. 1 to Agreement 443-2003 with STEP-II Inc., for residential and Level-1, 2 and 3 education and outpatient substance abuse treatment services to clients residing in the Bakersfield area, to extend the term of the agreement for a two month period to August 31, 2004 and increase compensation from \$149,750 to an amount not to exceed \$174,708 (an increase of \$24,958) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 289-2004

Patrick-Watson: All Ayes

- *30) Proposed Amendment No. 1 to Agreement 404-2003 with Vince Saladias dba Positive Visions for Men, for sober living environment services to clients residing in the Bakersfield area, to extend the term of the agreement for a two month period to August 31, 2004 and increase compensation from \$60,709 to an amount not to exceed \$70,827 (an increase of \$10,118) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 290-2004

Patrick-Watson: All Ayes

- *31) Proposed Amendment No. 1 to Agreement 410-2003 with Restoration Community Project, Inc., dba Freise House, for sober living environment services to clients residing in the Bakersfield area, to extend the term of the agreement for a two month period to August 31, 2004 and increase compensation from \$40,241 to an amount not to exceed \$46,948 (an increase of \$6,707) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 291-2004

Patrick-Watson: All Ayes

- *32) Proposed Amendment No. 2 to Agreement 547-2003 with College Community Services Inc., for substance abuse services for clients residing in the Ridgecrest area, to extend the term of the agreement for a three month period to September 30, 2004 and increase the compensation from \$246,451 to an amount not to exceed \$308,065 (an increase of \$61,614) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 292-2004

Patrick-Watson: All Ayes

- *33) Proposed Amendment No. 1 to Agreement 548-2003 with College Community Services, Inc., for behavioral health services for clients residing in the Tehachapi, Mojave and Rosamond area, to extend the term of the agreement for a three month period to September 30, 2004 and increase compensation from \$295,026 to an amount not to exceed \$368,784 (an increase of \$73,758) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 293-2004

Patrick-Watson: All Ayes

- *34) Proposed Amendment No. 2 to Agreement 549-2003 with College Community Services Inc., for substance abuse services for clients residing in the Lake Isabella area, to extend the term of the contract for a three month period to September 30, 2004 and increase compensation from \$281,238 to an amount not to exceed \$351,548 (an increase of \$70,310) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 294-2004

Patrick-Watson: All Ayes

- *35) Proposed Amendment No. 1 to Agreement 792-2003 (State No. 03-73025-000) with California Department of Mental Health for Specialty Mental Health Services under the Medi-Cal program, to implement changes in federal medicaid managed care regulation and reflect the true allocation for FY 2003-2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 295-2004

Patrick-Watson: All Ayes

- *36) Proposed issuance of Request for Proposal (RFP) for Specialty Mental Health Services for children and adolescents in the West, Central and Southeast Bakersfield areas, identified as GSA's 4 & 10 - APPROVED; AUTHORIZED ISSUANCE OF REQUEST FOR PROPOSAL

Patrick-Watson: All Ayes

- *37) Proposed issuance of Request for Proposal (RFP) for Interpreting and Translation Services for its limited or non-English speaking individuals served in Kern County - APPROVED; AUTHORIZED ISSUANCE OF REQUEST FOR PROPOSAL

Patrick-Watson: All Ayes

- *38) Proposed issuance of Request for Proposal (RFP) for Representative Payee Services for mentally ill adults who demonstrate difficulty managing finances due to mental disorders - APPROVED; AUTHORIZED ISSUANCE OF REQUEST FOR PROPOSAL

Patrick-Watson: All Ayes

- *39) Proposed issuance of Request for Proposal (RFP) for sober living environments, board and care facilities, room and board facilities, single room occupancy facilities and detoxification facility for qualifying AB2034 chronically mentally ill, dually diagnosed individuals who are homeless or at risk of being homeless - APPROVED; AUTHORIZED ISSUANCE OF REQUEST FOR PROPOSAL

Patrick-Watson: All Ayes

PUBLIC HEALTH SERVICES

- 40) Update concerning West Nile Virus - RECEIVED AND FILED; REFERRED TO ENGINEERING AND SURVEY SERVICES, RESOURCE MANAGEMENT AGENCY AND PARKS TO REVIEW DESIGN STANDARDS FOR SUMP FACILITIES AND FUNDING SOURCES

Parra-Maben: All Ayes

RETIREMENT ASSOCIATION

- *41) Proposed employer and employee contribution rates for the retirement system, as recommended by the KCERA's actuary - APPROVED

Patrick-Watson: All Ayes

- *42) Proposed addition of one (1) Information Systems Specialist III position and one (1) Retirement Services Representative I/II position and deletion of one (1) Fiscal Support Technician position, effective May 4, 2004, and job title change for Assistant Executive Director to Assistant Executive Director/Investment Analyst - APPROVED; REFERRED TO PERSONNEL TO AMEND DEPARTMENTAL POSITIONS AND SALARY SCHEDULE

Patrick-Watson: All Ayes

SHERIFF

- *43) Request for approval of intent to donate 4 surplus vehicles to Delegado Municipal De Chapultepec, Mexico - APPROVED; DIRECTED COUNTY COUNSEL TO PREPARE NOTICE OF INTENT; DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Patrick-Watson: All Ayes

TREASURER-TAX COLLECTOR

- *44) Pooled Cash Portfolio Analysis for the Month Ended March 2004 - RECEIVED AND FILED

Patrick-Watson: All Ayes

- *45) Transfer of Unclaimed Money to General Fund - AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO TRANSFER \$162,931.71 FROM THE SUSPENSE FUND TO THE COUNTY GENERAL FUND

Patrick-Watson: All Ayes

ADJOURNED TO CLOSED SESSION

Maben

CLOSED SESSIONS

COUNTY ADMINISTRATIVE OFFICE

- 46) Request for Closed Session regarding Meet and Confer, CCAPE, CCAPE-CJU, and KCPA -
- 47) Request for Closed Session regarding public employee performance evaluation - Title: Executive Director Board of Trade -

(If public reporting is required by Government Code Section 54957.1 relating to the above matters, the public reporting of any action taken in closed session will be made at the beginning of the 2:00 p.m. session of the Board of Supervisors.)

RECONVENED FROM CLOSED SESSION; RECESSED TO 2:00 P.M.

Maben-Watson

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Jon McQuiston
Chairman, Board of Supervisors

SUMMARY OF PROCEEDINGS

BOARD OF SUPERVISORS - COUNTY OF KERN

1115 Truxtun Avenue
Bakersfield, California

Regular Meeting
Tuesday, May 4, 2004

2:00 P.M.

BOARD RECONVENED

Supervisors: McQuiston, Maben, Patrick, Watson, Parra
ROLL CALL: 4 Present; 1 Absent - McQuiston

CONSENT AGENDA/OPPORTUNITY FOR PUBLIC COMMENT: ALL ITEMS LISTED WITH AN ASTERISK (*) OR A NUMBER SIGN (#) WERE CONSIDERED TO BE ROUTINE AND APPROVED BY ONE MOTION.

BOARD ACTION SHOWN IN CAPS

RESOLUTIONS/PROCLAMATIONS

- 1A) Proclamation proclaiming May 2 - 8, 2004 as Public Service Recognition Week in Kern County (from 9:00 A.M., Item No. 3) - PROCLAIMED; MADE PRESENTATION TO ROBERT PHIPPS, PRESIDENT, PUBLIC EMPLOYEES ROUNDTABLE OF KERN
Maben-Patrick: 4 Ayes; 1 Absent - McQuiston

PUBLIC PRESENTATIONS

- 1) This portion of the meeting is reserved for persons to address the Board on any matter not on this agenda but under the jurisdiction of the Board. Board members may respond briefly to statements made or questions posed. They may ask a question for clarification, make a referral to staff for factual information or request staff to report back to the Board at a later meeting. Also, the Board may take action to direct the staff to place a matter of business on a future agenda. SPEAKERS ARE LIMITED TO TWO MINUTES. PLEASE STATE YOUR NAME BEFORE MAKING YOUR PRESENTATION. THANK YOU! - THOMAS MESHACK, CHIEF NEGOTIATOR, UNITED DOMESTIC WORKERS ASSOCIATION, HEARD REGARDING STATEWIDE BUDGET CUTBACKS AND ONGOING CONTRACT NEGOTIATIONS

BOARD MEMBER ANNOUNCEMENTS OR REPORTS

- 2) On their own initiative, Board members may make an announcement or a report on their own activities. They may ask a question for clarification, make a referral to staff or take action to have staff place a matter of business on a future agenda (Gov. Code Sec. 54954.2[a]) - NO ONE HEARD

CONTINUED HEARING

RESOURCE MANAGEMENT AGENCY
Planning Department

- *3) **Request from FF&E Family Limited Partnership by Frank Salvucci, Sr., to vacate an approximate 497-foot-long portion of the Golden State Highway frontage road, Oildale area (SD 1)**
Specific Request:
A nonsummary vacation of an approximate 497-foot-long portion of the Golden State Highway frontage road (102-4 3 098; Streets and Highways)
(General Rule, Section 15061(b)(3); Published Bakersfield Californian) (from 3/23/2004) - REFERRED BACK TO STAFF
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

DEPARTMENTAL REQUESTS

RESOURCE MANAGEMENT AGENCY
Planning Department

Land Use

S.D. #2

- *4) Proposed Williamson Act Land Use Contract No. 03-8 with John Hancock Mutual Life Insurance Company, by Joseph P. Silveria, for 2005 Calendar Year, 1/2 mile west of Wheeler Ridge Road at the western terminus of Crider Avenue, Wheeler Ridge area, Agricultural Preserve No. 14, 160 acres - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; DIRECTED CLERK OF THE BOARD TO RECORD
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *5) Proposed Notice of Nonrenewal Petition No. 04-12 by Lester B. Brown and Annie Brown for approximately 67 acres within Agricultural Preserve No. 11 - APPROVED; DIRECTED CLERK OF THE BOARD TO RECORD
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

Miscellaneous

All S.D.'s

- *6) Report on Public Service Excellence Award for Kern County's brochure on rural living - RECEIVED AND FILED
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Community and Economic Development Department

Hearing

All S.D.'s

- *7) Public Hearing to review and approve the County's program performance and the "County of Kern Annual Action Plan for Community Development Programs for Fiscal Year 2004-2005," and projects proposed for funding with Fiscal Year 2004-2005 Community Development Block Grant Program funds, HOME Investment Partnership Program funds, Emergency Shelter Grant Program funds, and American Dream Downpayment Initiative Program funds - OPENED HEARING; NO ONE HEARD; CLOSED HEARING; DIRECTED COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT TO MAKE ANY NECESSARY REVISIONS AND APPROVE ACTION PLAN; AUTHORIZED CHAIRMAN TO SIGN "APPLICATION FOR FEDERAL ASSISTANCE" FORMS AND CERTIFICATIONS; AUTHORIZED DIRECTOR TO SUBMIT ACTION PLAN TO HUD

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Environmental Health Services

All S.D.'s

- *8) Proposed retroactive Agreement with State of California Water Resources Control Board (No. 03-012-250-0) for County to operate the Local Oversight Program for leaking underground storage tanks, from July 1, 2003, through June 30, 2004 in an amount not to exceed \$139,000 (prior notification 4/27/2004) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 296-2004 IN SUBSTANTIALLY THE FORM SUBMITTED SUBJECT TO APPROVAL AS TO FINAL FORM BY COUNTY COUNSEL

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Environmental Health Services - Animal Control Services

S.D. #1

- *9) Notice of anticipated retroactive Amendment to Agreement 239-99 for animal shelter services, Kern River Valley - RECEIVED AND FILED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

RESOURCE MANAGEMENT AGENCY
Roads Department

S.D. #2

- *10) Proposed Agreement with the City of Tehachapi for City to provide right-of-way for City's portion of Red Apple Avenue, at no cost to County, on which County will construct and maintain that portion of Red Apple Avenue - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 297-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *11) Proposed 45 mile per hour speed limit on Westwood Boulevard, Tehachapi - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *12) Contract No. 04018, Plans, Specifications, and Notice to Contractors for the removal of an existing pedestrian bridge and the installation of a pre-manufactured pedestrian bridge -

WITHDRAWN

S.D. #5

- *13) Easement Deed and proposed Right-of-Way Contract with Bernard R. and Bernice J. Stamper for the purchase of approximately 200 square feet of property necessary for the improvement of Pioneer Drive, in the amount of \$700 - APPROVED; ACCEPTED DEED; DIRECTED CLERK OF THE BOARD TO RECORD; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 298-2004; AUTHORIZED AUDITOR-CONTROLLER-COUNTY CLERK TO MAKE PAYMENT

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *14) Proposed no stopping zone along the north side of Foothill Drive, Bakersfield - APPROVED; REFERRED TO COUNTY COUNSEL FOR PREPARATION OF ORDINANCE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1 & #2

- *15) Contract 04013, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in east Kern County, in an amount not to exceed \$345,195 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *16) Contract 04012, identify apparent low bid of Granite Construction Company for asphalt concrete (stockpile) at various locations in Kern County, in an amount not to exceed \$796,650 - IDENTIFIED LOW BID; AUTHORIZED ROADS TO PREPARE NECESSARY CONTRACT DOCUMENTS AND RELEASE ALL OTHER BID GUARANTEES

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *17) Proposed Amendment No. 3 to Agreement 355-99 with First Transit, Inc., for transportation services, revising compensation from a fixed hourly rate to a combination fixed monthly fee and variable hourly vehicle rate and extending term to June 30, 2009 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 299-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

WASTE MANAGEMENT

S.D. #4

- *18) Proposed Resolution to set public hearing for Tuesday, June 22, 2004, at 2:00 p.m. to consider Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Unincorporated Lost Hills Universal Collection Area for Fiscal Year 2004-2005 - ADOPTED RESOLUTION 2004-134; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND ORDINANCE SUMMARY

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *19) Proposed Resolution to set public hearing for Tuesday, June 22, 2004, at 2:00 p.m. to consider Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Unincorporated Taft Universal Collection Area for Fiscal Year 2004-2005 - ADOPTED RESOLUTION 2004-135; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND ORDINANCE SUMMARY

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

All S.D.'s

- *20) Proposed Amendment No. 1 to Agreement 368-2002 with William J. Vanherweg to provide biological assessment services to extend the term to November 14, 2004, and increase the amount of compensation to \$125,000 (an increase of \$25,000) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 300-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *21) Proposed Amendment No. 1 to Agreement 919-2002 with GeoSyntec Consultants to provide environmental, civil and geotechnical engineering services on active and inactive facilities extending the term to July 31, 2005, with no change in compensation - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 301-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *22) Proposed Resolution to set public hearing for Tuesday, June 22, 2004, at 2:00 p.m. to consider Ordinance establishing the schedule of Universal Solid Waste Collection Charges for residential properties with four or fewer units in the Metropolitan Bakersfield Universal Collection Area for Fiscal Year 2004-2005 - ADOPTED RESOLUTION 2004-136; DIRECTED WASTE MANAGEMENT TO IDENTIFY ALL PARCELS UPON WHICH THE CHARGE IS PROPOSED; DIRECTED COUNTY COUNSEL TO PREPARE AND CLERK OF THE BOARD TO PUBLISH NOTICE OF HEARING AND ORDINANCE SUMMARY

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE

- *23) Proposed one-year extension to June 30, 2005, of military leave benefits program, which includes continuation of twenty-six bi-weekly payroll periods of medical, dental and vision insurance coverage for employees called to active military duty and their eligible dependents, waiver of 20% premium for those affected employees hired after April 1997, and the supplemental salary offset program as defined in Resolution No. 2002-16 - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

COUNTY ADMINISTRATIVE OFFICE
General Services Division

S.D. #1

- *24) Plans and Specifications for Scodie Park Tot Lot Improvements (1960.8122C) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *25) Plans and Specifications for Shafter Veteran's Hall Remodel (8920.18032) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JUNE 3, 2004, AT 11:00 A.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *26) Proposed Amendment No. 2 to Agreement 998-2002 with the State Board of Corrections to extend the construction completion date of the new Juvenile Treatment Facility from April 10, 2004, to July 15, 2004 - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 302-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #2

- *27) Request to set hearing for purchase of 540.75 acres of land near the Mojave landfill site from Genus L.P., for buffer purposes, drainage collection, monitoring wells and potential habitat offset, in the amount of \$675,937 and \$525 for escrow and closing costs - ADOPTED RESOLUTION 2004-137 SETTING HEARING FOR TUESDAY, JUNE 1, 2004, AT 2:00 P.M., DIRECTED CLERK OF THE BOARD TO PUBLISH NOTICE

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *28) Plans and Specifications for Boron, Mojave East and Rosamond Parks Tot Lot Improvements (1960.8122A) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JUNE 3, 2004, AT 2:00 P.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #3

- *29) Proposed Agreement with BSK & Associates for construction testing and inspection services for the new airport terminal at Meadows Field, in an amount not to exceed \$200,000 (8215.7500) - APPROVED; AUTHORIZED CHAIRMAN TO SIGN AGREEMENT 303-2004

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *30) Plans and Specifications for Sheriff's Norris Road Facility Buildings A & B Reroof (1650.7118 & 1650.7132) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE THURSDAY, JUNE 3, 2004, AT 2:00 P.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #4

- *31) Proposed Agreement with Khaled M. Hussein d.b.a. Village Market for month-to-month lease of vacant County property located at the corner of Highway 46 and Woodland Avenue, Lost Hills, for use as a parking area (\$185 monthly rent) - CONTINUED TO TUESDAY, MAY 11, 2004, AT 2:00 P.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D. #5

- *32) Plans and Specifications for Heritage, Casa Loma, Pioneer and Rexland Acres Parks Tot Lot Improvements Phase II (1960.8123 & 1960.8156) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED GENERAL SERVICES TO PUBLISH PURSUANT TO PUBLIC CONTRACT CODE SECTION 20125; BID OPENING TO BE TUESDAY, JUNE 1, 2004, AT 2:00 P.M.

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

S.D.'s #1 & #4

- *33) Plans and Specifications for Buttonwillow and Hart Parks Tot Lot Improvements (1960.8122B) - MADE FINDING THAT PROJECT IS EXEMPT FROM CEQA PER SECTION 15301; AUTHORIZED GENERAL SERVICES TO FILE NOTICE OF EXEMPTION; APPROVED; AUTHORIZED CHAIRMAN TO SIGN; AUTHORIZED PURCHASING AGENT TO SOLICIT BIDS

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

MATTERS FOR EXECUTIVE APPROVAL

- *34) Budget Transfers - APPROVED NO. 214 THROUGH NO. 221

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *35) Minutes for week of March 29, 2004 - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *36) Miscellaneous Letters and Documents - APPROVED

Watson-Maben: 4 Ayes; 1 Absent - McQuiston

- *37) Miscellaneous Departmental Referrals by Clerk of the Board -
APPROVED AND FILED
Watson-Maben: 4 Ayes; 1 Absent - McQuiston
- *38) Claims and Lawsuits filed with and referred by Clerk of the
Board - APPROVED AND FILED
Watson-Maben: 4 Ayes; 1 Absent - McQuiston

ADJOURNED TO MONDAY, MAY 10, 2004, AT 2:00 P.M.

Patrick-

/s/ Tracey E. Cody
Administrative Coordinator

/s/ Pete H. Parra
Vice Chairman, Board of Supervisors

**AMERICANS WITH DISABILITIES ACT
(Government Code Section 54953.2)**

The Board of Supervisors Chamber is accessible to persons with disabilities. Disabled individuals who need special assistance to attend or participate in a meeting of the Board of Supervisors may request assistance at the Clerk of the Board of Supervisors, Fifth Floor, 1115 Truxtun Avenue, Bakersfield, California or by calling (661) 868-3585. Every effort will be made to reasonably accommodate individuals with disabilities by making meeting material available in alternative formats. Requests for assistance should be made five (5) working days in advance of a meeting whenever possible.

- 36) MISCELLANEOUS LETTERS AND DOCUMENTS - FILED
Auditor-Controller-County Clerk
- A) Solid Waste Management Enterprise Fund Audit Report for June 30, 2003
- B) Statement of Money in the County Treasury as of March 18, 2004
Clerk of the Board
- C) Received, certified and forwarded to Recorder for recordation as follows:
- 1) Tract Map 6012, Phase 2 S.D. #4
 - 2) Tract Map 6095, Phase 1 S.D. #2
 - 3) Tract Map 6095, Phase 2 S.D. #2
- Environmental Health Services
- D) Three (3) thank you letters for donations to the Mojave Shelter and Bakersfield Animal Care Center
Fire
- E) Memorandum from Dennis L. Thompson re his appointment to the California Wildfire Coordinating Group (CWCG) and the FIRESCOPE Board of Directors
Grand Jury
- F) 2003-2004 Final Report re Kern Medical Center (Copies to each Supervisor, CAO and Kern Medical Center)
Local Agency Formation Commission
- G) Agenda of meeting on Tuesday, April 27, 2004
- H) Minutes of meeting on Tuesday, March 23, 2004
Sheriff
- I) Response to 2003-2004 Grand Jury Final Report re Ridgecrest Substation (Copies to each Supervisor and CAO)
Miscellaneous
- J) Letter from County of Madera Board of Supervisors re appeal to Federal Emergency Management Agency (FEMA) concerning the Madera County Flood Plain Study, Madera County Water Oversight Committee (Copies to each Supervisor, CAO, Engineering & Survey Services and Resource Management Agency)
- K) Letter from Gene Blankenbaker, U.S. Department of Agriculture, Forest Service, re quarterly Schedule of Proposed Actions (SOPA) for Los Padres National Forest for the period of April 1 through June 30, 2004 (Copies to each Supervisor, CAO and Planning)
- L) Letter from John L. Burton and Fabian Nunez, California Legislature, re proposed budget on activities and obligations of the In-Home Supportive Services (IHSS) Program (Copies to each Supervisor, CAO and Aging & Adult Services)

- M) Sixteen (16) letters regarding proposed budget cuts within the California Department of Corrections (Copies to each Supervisor and CAO)
- N) Letter from Katherine Prewett in opposition to General Plan Amendment Case No. 51, Map 101, Amendment of Zoning Map No. 101, Zone Change Case No. 137, to change zoning from current A-1 agriculture to 1/4 estate, southeast corner of Hageman and Heath Roads (Copies to each Supervisor, CAO, Planning and County Counsel)
- O) Memorandum from DeAnn Baker, California State Association of Counties, re SB 1462, Southern California Military Greenway Commission amended on April 12, 2004 (Copies to each Supervisor and CAO)
- P) Notice from Department of Alcoholic Beverage Control re Application for Alcoholic Beverage License from Twin Oaks General Store, 15782 Caliente Creek Road, Caliente (Copies to each Supervisor, CAO and Planning)
- Q) Notice from U.S. Department of Agriculture, Forest Service, Pacific Southwest Region, re Forest Plan Revisions Update for Angeles, Cleveland, Los Padres and San Bernardino National Forests, March 2004 (Copies to each Supervisor, CAO and Planning)
- R) Brochure from U.S. Department of Agriculture re Catalog of Loans, Grants and Technical Assistance, Rural Development California (Copies to each Supervisor and CAO)
- 37) LETTERS RECEIVED AND REFERRED BY CLERK OF THE BOARD - APPROVED AND FILED
 - A) Letter from Kenneth R. Bergevin, Arvin Union School District (AUSD), re Resolution No. 21:2003/04 certifying proceedings in March 2, 2004 General Obligation Bond Election; Resolution No. 22:2003/2004 declaring intention to reimburse expenditures from proceeds of obligations to be issued by the AUSD; and Resolution No. 23:2003/2004 re request to issue and sell General Obligation Bonds of AUSD, Election of 2004, Series 2004A - REFERRED TO COUNTY COUNSEL
 - B) Letter from Connie Whitman, Stradling Yocca Carlson & Rauth, re California Community College Financing Authority, 2004 Tax and Revenue Anticipation Bonds, West Kern Community College District (Resolution No. 03/04-20)- REFERRED TO COUNTY COUNSEL
 - C) Letter from Dollie Kostopolous, Desert Lake Community Services District, re Resolution No. 04-03-010 re changing elections of its board of directors to the same date as the statewide general election and extending the term of the Director by one year - REFERRED TO ELECTIONS (Copies to each Supervisor and CAO)
 - D) Resolution 02-0404 from Kernville Union Elementary School District re certifying all proceedings in the March 2, 2004, General Obligation Bond Election - REFERRED TO COUNTY COUNSEL

- E) Resolution 03-0404 from Kernville Union School District re request to issue and sell General Obligation Bonds, Election of 2004, Series 2004A - REFERRED TO COUNTY COUNSEL
- F) Resolution 03/04-18 from West Kern Community College School District certifying March 2, 2004 election results - REFERRED TO COUNTY COUNSEL
- G) Resolution 03/04-19 from West Kern Community College District re request to sell bonds - REFERRED TO COUNTY COUNSEL
- 38) CLAIMS AND LAWSUITS FILED WITH AND REFERRED BY THE CLERK OF THE BOARD - APPROVED AND FILED
- A) Claim in the matter of Thomas Philip and Brenda Philip vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- B) Claim in the matter of Senaido Velazquez, Soleny Velazquez and Ricardo Velazquez, Jr., Minors, by and through their Guardian ad Litem, Marisol Vargas vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- C) Claim in the matter of Charles B. Croft vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- D) Claim in the matter of Wendy Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- E) Claim in the matter of Johnny Smith vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- F) Claim in the matter of Linda Appodaca and Larry Appodaca vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- G) Claim in the matter of Tanya Lee Villalobos vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- H) Claim in the matter of Rajinder Singh vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- I) Claim in the matter of Jerry Vance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- J) Subrogation claim in the matter of Donna Price by Sentry Insurance vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- K) Subrogation claim in the matter of Lucilla Cladera and Mauricio Martinez by American National Property and Casualty Companies vs. Kern County - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)
- L) Release of claim from Bureau of Land Management - REFERRED TO COUNTY COUNSEL (Copy to Risk Management)